

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20231 of 2016

=====

Rama Sah S/o Late Asharfi Sah, Resident of Village- Chotta Purnava, Ward
No. 18, P.S.- Raxual, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, Revenue and land Reforms Department cum
Director, Land Acquisition Bihar,
3. The Project Director, National Highway Authority of India, Ministry of
Road Transport and Highway P
4. The Collector, East Champaran, Motihari.
5. The Additional Collector, East Champaran, Motihari.
6. The District Land Acquisition Officer, East Champaran, Motihari.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Sinha, Adv.
For the Respondent/s	:	Mr. Rishi Raj Sinha-Sc19
For the NHAI	:	Mr. Dr. Anand Kumar, Adv.
		Ms. Vijeta Kumari, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-08-2025 Heard the parties.

2. The present writ petition has been preferred for the
following relief(s):

*for issuance of proper writ/writs,
order/ orders, direction/directions in the
nature of MANDAMUS directing the
respondents to make payment of
compensation amount as per the Market
value of his acquire land appertaining to
Khata No. 25, Khesra No. 617 having an
area of 2 Kattha and 12 dhur for
construction of N.H-28A from Pipra Kothi to*



Raxaul going through the Village-Jakiyari in L.A. Case No. 6/2012 for which 70% of award has already been paid at the rate of 176,000/- per decimal and not 30% are fixed at the rate of 12,500/- which is law as well as less than the earlier compensation for the same plot as given at the rate of 176.000/- per decimal by the authority concerned which has not been paid till date.

3. The claim of the petitioner is that though his land (Khata No. 25, Khesra No. 617, area- 2 Katha 12 dhur in the village of Jakiyari, Thana No. 11, Circle- Raxaul) has been acquired for the construction of NH-28, only seventy per cent of the amount has been paid.

4. Two cheques of Rs. 3,36,817/- dated 25.08.2015 and Rs. 9,43,690/- dated 29.09.2015 are on record but the claim is that it is only seventy per cent of the amount.

5. Since there is no counter affidavit on behalf of the State, this Court is unable to decipher the aforesaid claim of the petitioner.

6. This Court has two options, either to adjourn the matter allowing the State to file counter affidavit after imposing heavy cost on them, alternatively, allowing the petitioner to approach the respondent no. 6, the District Land Acquisition Officer, East Champaran, Motihari to lay his claim about the



payment of rest thirty per cent.

7. In that background, with the consent of the parties, the writ petition is disposed of allowing the petitioner to approach the respondent no. 6 in four weeks who shall be taking the matter to its logical conclusion and pass a reasoned order preferably by 31st March, 2026.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

